



Administrative Approval Action

Case File / Name: ASR-SR-34-2019
SEABOARD STATION BLOCK A

City of Raleigh
Development Services Department
One Exchange Plaza
Raleigh, NC 27602
(919) 996-2492
currentplanning@raleighnc.gov
www.raleighnc.gov

LOCATION: This site is located on the north side of Peace Street and west of Halifax Street. The site addresses are 8 West Peace Street, 605 Halifax Street and 5 Seaboard Avenue. The corresponding PIN numbers are 1704-62-2079, 1704-72-0096 and 1704-72-0186.

REQUEST: The applicant is requesting to develop 0.96 acres of a tract zoned Downtown Mixed Use- 7 stories with an Urban General Frontage (DX-7-UG). The development encompasses a 6 story building, a 7 story building and structured parking. The total gross floor area for the development is 194,240 sf, this excludes structured parking. Below is the allocation of square footage in the development:

- Hotel (77,000 square feet)
- Retail (2,822 square feet)
- Multi-unit living (76,035 square feet)
- Eating Establishment (11,240 square feet) & Lobby/Courtyard (27.143 sf)
- Vehicle Parking (59,804 square feet)

There have been 2 Variances and 2 Design Adjustments approved by the Board of Adjustment. One Administrative Alternate was reviewed by the Appearance Commission and approved by the Planning Director Designee. These items are listed below:

- Board of Adjustment Variance, A-96-19 - Block Perimeter Design Adjustment
- Design Adjustment, A-140-19 - Driveway Adjustment/Ingress-Egress
- Design Adjustment, A-7-20 - Variable Width Right of Way
- Board of Adjustment Variance, BOA-0007-20 - Driveway Width
- Administrative Alternate, AAD-24-19 - Transparency & Pedestrian Access Easement

DESIGN ADJUSTMENT(S)/ ALTERNATES, ETC: N/A

FINDINGS: City Administration finds that this request, with the below conditions of approval being met, conforms to the Unified Development Ordinance. This approval is based on a preliminary plan dated July 14, 2020 by Rob Steward.

CONDITIONS OF APPROVAL and NEXT STEPS:

This document must be applied to the second sheet of all future submittals except for final plats. This is a preliminary plan and as such no permits have been issued with this approval. To obtain permits and/or completion of the project, the following steps are required:

SITE PERMITTING REVIEW - For land disturbance of 12,000 square feet or greater, public or private infrastructure, shared stormwater devices, etc. Site Permitting Review may be submitted upon receipt of this signed approval document.

The following items are required prior to approval of Site Permitting Review plans:

General



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1. Demonstrate compliance with Transparency standards in UDO Section 1.5.9, UDO Section 3.2.6, and the Administrative Alternate approval under AAD-24-2019.
2. The development shall comply with UDO Section 7.1.5.B by providing Staff a remote parking agreement.
3. A recombination plat is reviewed, approved & recorded at Wake Co Register of Deeds.

Engineering

4. For the building foundations proposed within the public right-of-way, an easement and/or agreement, as deemed appropriate and sufficient by City Staff, that permits portions of the building to encroach within the Seaboard Station Drive, Peace Street, Seaboard Avenue, and Halifax Street right-of-way must be approved by City Council. Any applicable easement must be conveyed to the City of Raleigh and the location as identified on the plans shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If the recorded copy of the document is not provided as indicated herein, further recordings and building permit issuance will be withheld.
5. An encroachment submittal for all non-typical structures and materials proposed within the public right-of-way shall be approved by City Council. The executed encroachment agreement shall be filed with the Development Services Department for the approval by the City and returned to the Owner. The Owner is responsible to record the executed encroachment agreement with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Development Services Department.
6. A Traffic Control and Pedestrian (TCPED) Plan must be approved and a right-of-way occupancy permit must be obtained from Right-of-way Services for any construction activities within the right-of-way.
7. That the existing right-of-way along Seaboard Ave as shown on the plans is abandoned and a resolution number shown on all plats.
8. Verify / correct the Gross and Net Site area given the amount of ROW dedication.

Public Utilities

9. A Downstream Sewer Capacity Study in compliance with the City of Raleigh Public Utilities Department Handbook shall be submitted by the Project Engineer for review and approval.

Stormwater

10. A surety equal to of the cost of clearing, grubbing and reseeding a site, shall be paid to the City (UDO 9.4.4).
11. A stormwater control plan with a stormwater operations and maintenance manual and budget shall be approved (UDO 9.2).



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12. A nitrogen offset payment must be made to a qualifying mitigation bank (UDO 9.2.2.B).

RECORDED MAP(S) - Submit plat to record new property lines, easements, tree conservation areas, etc.). Plats may be submitted for review when the Site Permitting Review plans, if required, have been deemed ready for mylar signature.

The following items must be approved prior to recording the plat:

Engineering

1. A sidewalk deed of easement conveyed to the City of Raleigh for the public sidewalk located on private property within the Duke Energy easement as identified on the preliminary plans, shall be approved by City Staff and Duke Energy, and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If the recorded copy of the document is not provided as indicated herein, further recordings and building permit issuance will be withheld.
2. The required right of way for proposed and/or existing streets shall be dedicated to the City of Raleigh and shown on the map approved for recordation.
3. A sight distance easement shall be approved by the Transportation Department for recording in the Wake County Registry, and a copy of the recorded easement shall be returned to the Development Services Department within one day of plat recordation. If a recorded copy of the document is not provided within this time, further recordings and building permit issuance will be withheld.
4. A sidewalk deed of easement for any public sidewalk on private property shall be approved by City staff, and the location of the easement shall be shown on the map approved for recordation. The deed of easement shall be recorded at Wake County Register of Deeds within one day of recordation of the plat. A recorded copy of this document shall be provided to the Development Services Department within one day from authorization of lot recordation. If a recorded copy of this document is not provided, further recordings and building permit issuance will be withheld.

Public Utilities

5. Infrastructure Construction Plans (concurrent submittal) must be approved by the City of Raleigh Public Utilities Department for all public water, public sewer and/or private sewer extensions.

BUILDING PERMITS - For buildings and structures shown on the approved plans. Commercial building permit plans must include the signed, approved Site Permitting Review plans attached, if applicable. Permit sets may be reviewed prior to the recordation of required plats, but cannot be approved.

The following items must be approved prior to the issuance of building permits:

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1. A demolition permit shall be obtained.
2. Comply with all conditions of A-96-19; A-140-19; AAD-24-19; BOA-0007-20; A-7-20 and A-13-20
3. The development shall comply with UDO Section 7.1.5.B by providing Staff a remote parking agreement.

Engineering

4. A public infrastructure surety shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

Public Utilities

5. A plat must be recorded at the Wake County Register of Deeds office for all utility easement dedications.

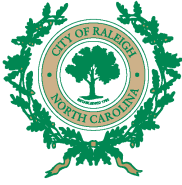
Stormwater

6. A payment equal to twenty-four percent (24%) of the estimated cost of constructing all stormwater control facilities shown on the development plans shall be paid by the developer to the City stormwater facility replacement fund (UDO 9.2.2.G.3).
7. A surety equal to 125% of the cost of the construction of a stormwater device shall be paid to the Engineering Services Department (UDO 9.2.2.D.1.d).
8. All stormwater control measures and means of transporting stormwater runoff to and from any nitrogen and stormwater runoff control measures shall be shown on all plats for recording as private drainage easements (UDO 9.2).
9. An encroachment agreement for private stormwater infrastructure within the public right-of-way shall be approved by City Council and the City Council approved encroachment agreement shall be filed with the Development Services Department, and the encroachment agreement shall be recorded with the Wake County Register of Deeds. A recorded copy of these documents must be provided to the Development Services Department.

Urban Forestry

10. A tree impact permit must be obtained for the approved streetscape tree installation in the right of way. This development proposes 11 street trees (2 of which are in tree grates) along Seaboard Avenue, 4 street trees along Halifax Street, 6 street trees along Peace Street, and 4 street trees along Seaboard Station Drive.
11. A public infrastructure surety for 23 street trees and 2 street trees in tree grates shall be provided to the City of Raleigh Development Services – Development Engineering (UDO 8.1.3).

The following are required prior to issuance of building occupancy permit:



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Stormwater

1. As-built drawings and associated forms for all Stormwater devices are accepted by the Engineering Services Department (UDO 9.2.2.D.3).

EXPIRATION DATES: The expiration provisions of UDO Section 10.2.8 E, including the ability to request extensions in the expiration date, apply to this site plan. If significant construction has not taken place on a project after administrative site review approval, that approval may expire and be declared void, requiring re-approval before permits may be issued. To avoid allowing this plan approval to expire the following must take place by the following dates:

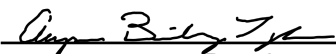
3-Year Expiration Date: August 21, 2023

Obtain a valid building permit for the total area of the project, or a phase of the project.

4-Year Completion Date:

Within four years after issuance of the first building permit for the site plan, the construction of the entire site plan must be completed unless an applicant has been granted vested rights. Failure to complete construction within this specified time frame shall automatically void the approved site plan for which no building permits have been issued.

I hereby certify this administrative decision.

Signed:  Date: 08/21/2020
Development Services Dir/Designee

Staff Coordinator: Jermont Purifoy